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The Opinion

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## Law School Dean Selection Committee Reports Search Process Going Slowly

by Jeff H. Stern

Members of the Law School Dean Search Committee have told *The Opinion* that the search for a new dean is only in its initial stages, and that they could not rule out the possibility that a replacement for resigning Law Dean Thomas E. Headrick may not be found in time for the start of the Fall '85 semester. The Committee, which consists of University administrators and Law School faculty members and student representatives, was assembled after Headrick announced last September that he would resign from the deanship effective August 31, 1985.

### Candidates Nominated, But Not Informed Of It

"At this point the objective is simply to identify a group of people who have the skills and qualifications appropriate for the deanship," Chairman of the Committee and Dean of Management Joseph Alutto stated. Currently the Committee is narrowing down "a substantial list" of administrators, scholars and lawyers who have been nominated for the position by members of the law school faculty, the local bar and the Committee itself. However, since the nominees have not yet been informed of their nominations, the Committee "does not even know

if any of these people are interested yet," explained Assistant Law School Dean of Admissions and Student Affairs Vivian Garcia, a Search Committee member.

"All we have now is a list of nominees, not candidates," Alutto said. "Someone might have been nominated who has absolutely no interest in the position." Although "some informal contacts have [already] been made to assess the level of interest," Alutto said that the Committee will not know who is seriously interested until it receives responses to official letters it will send to nominees in mid-March, informing them that they have

been nominated for the deanship of the law school.

### Job Deadline is March 15

In addition to nominations, the Committee is also beginning to receive letters of interest from people who have seen notices and advertisements the Committee placed in the Association of American Law Schools Journal and other legal publications. "Those names are being added to the list," Alutto said. The Committee will continue gathering names of nominees and other interested parties until the job officially closes on March 15. "After the closing date we expect to be active in the follow-up process," Alutto stated.

Alutto explained that those people the Committee wants to pursue "will be formally contacted very shortly" after the March 15 closing date. Interested nominees will be required to submit professional resumés, letters of evaluation and personal statements to the Committee. Once received, the Committee will review the resumés in order to identify those applicants who possess the skills and credentials "that match the expectations of the Committee." The Committee will then select no more than five applicants and "an interview schedule involving the Search Committee, faculty, possibly

*continued on page 8*

## Pipes Continue to Burst in Law Library As Red Tape Hampers O'Brian Repair

by Victor R. Siclari

Problems continue to plague O'Brian Hall. On Tuesday, February 12, as the last issue of *The Opinion* was on its way from the printers to the readers, the Law Library suffered a second water leak. And on Sunday, February 17, the Library experienced its third water leak in less than a month.

### Second Broken Pipe Gushes Forth

According to Circulation Supervisor Mary Ann Wachowiak, "Maintenance was the first to notice water pouring outside O'Brian Hall on Tuesday afternoon." They then came inside and notified the library personnel. A hot water pipe inside the wall had burst and water was leaking outside the building as well as in a small room in the Reserve Area where the Library



Exposed pipe in O'Brian Room in the Law Library remains severed in two.

stores paper for the copier machines.

Wachowiak said maintenance was able to reach the shut-off valve for the pipe through a hole in the wall of the small room. Due to the quick action by library personnel, they were able to salvage

most of the copier paper stored in the room where the water leaked. However, some of the copier paper got wet and cannot be used.

### Third Broken Pipe Creates U/B's Own Niagara Falls

The third pipe burst occurred about 2 p.m. on Sunday, February 17, over the three-day holiday weekend. Since the Library was open, the water leak was detected fairly quickly. Maintenance arrived about an hour later to fix the pipe. However, the water continued to leak from behind the wall for several hours.

Andy H. Viets, who was on duty behind the circulation desk at the time said, "You could actually see buckets full of water coming from the outside wall of O'Brian Hall. The water leaked from the second floor over the outer ledge and it looked like Niagara Falls. Water was still leaking at 5 p.m. when I left. I had to walk around the water when I left the building."

The third pipe that burst was located behind the wall in the O'Brian Room, which is a reading room located in the back of the second floor of the Library near the patio. Since the water was flooding this room, the rug was

pulled back from the wall. Although the rug itself is not too wet, the matting underneath the rug is so wet that water spurts up from the matting when it is stepped on. The adjacent copier room also suffered water damage so the copy machines were moved to one side of the room, away from where the carpet was wet.

### Pipes Cannot Handle The Pressure

Law Library Director and Associate Law School Dean for Legal Information Services Ellen M. Gibson noted that both of these pipes were hot water pipes, not cold water pipes. She indicated that this may lead one to believe that the problem is not that the cold weather causes the water inside the pipes to freeze, which is more plausible with cold

water pipes, but that the pipes themselves are faulty.

Gibson also noted that three pipes had burst January of last year in about the same places. She said that it took about eight months to have the hole in the wall of the O'Brian Room fixed from the last water leak. It has only been three months since the hole was fixed and all the pictures were hung again in the room. Now a pipe has burst a year later giving rise to the same headaches as before.

### Bureaucrats Contemplate Action, But Nothing Done So Far

Apparently, some action will be taken in the near future, but how soon is unknown. According to Law School Dean Thomas E. Headrick, "I suggested to the Provost (William R. Greiner) last fall

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## Cohen Elected SBA V.P.

by Lisa Roy

Two hundred sixty-six students turned out to vote for the new Vice President of the Student Bar Association. Congratulations go to Lori Cohen who led the day with 138 votes followed by Todd Bullard with 71, Andy Viets with 53, Peter Gallanter with 3 and Mark Mulholland with 1 vote.

In a recent Vice Presidential

Forum, Ms. Cohen said she believed that she represented the views of a large cross section of the student body. When asked whether or not she planned to run for president next year she replied, "I have to see if I like being Vice President first." Ms. Cohen now has the chance to test the political waters before making any decision about her future in SBA politics.

The following professors failed to hand in their grades as of the Friday, February 15 deadline:

Boyer — Occupational Safety and Health

Joyce — Federal Tax 1

Joyce — Gratuitous Transfers

Katz — Criminal Law

Leary — International Law

McCarrick — Family Law

Meidinger — Property

Olsen — Civil Procedure

Reis — Property 2

Spanogle — Commercial Paper

Spanogle — International Commercial Transfers

Spiegelman — Civil Procedure

Steinfeld — Corporations

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## Editorial:

### Expedite Dean Search

Well, it's almost March now and the selection of a new dean for our law school still seems distant. Almost as distant as the day Dean Headrick announced his resignation, in fact, since the Dean Search Committee's quest for a new dean is only in its nascent stages. What *The Opinion* would like to know is why.

Dean Headrick announced that he would resign next fall on September 7, 1984. This hardly took the law school community by surprise, since Headrick had been talking about the possibility that he might resign since January of the same year. Yet despite the advance notice, the Committee still had to scramble to get organized, and did not meet for the first time until early December, a full *three months* after Headrick announced his intention to resign!

Now there is a good chance that the law school will pay for this initial sluggishness. Committee members admit that a great deal of work remains before the selection process can come full circle. And they do not appear confident that this can be accomplished by the August 1st deadline set by University Provost William Greiner. All they have to date is a list of nominees who do not even know that they've been nominated, and may not even be interested in the position anyway.

These nominees must first be informed of their status. Then, those interested must respond by submitting their curricula vitae, references and personal statements. Then the Committee must decide which applicants it likes and conduct a first round of interviews. Then the Committee must narrow the list to three candidates and submit that list to Greiner, who will then conduct a *second* round of more extensive interviews. Finally, President Sample must review the three candidates' qualifications and make the ultimate hiring decision. How all of this can be accomplished by the August 1st deadline is beyond our comprehension.

We know that a dean selection process is a difficult and time consuming affair, especially when finding a replacement the caliber of Headrick is concerned. We also realize that the chairman of the Committee, Management Dean Joseph Alutto, has been preoccupied with moving the Management School into a new building. And certainly, last month's blizzard didn't help matters much. But this does not excuse the Committee's late start and slow progress.

Admittedly, it would be no great catastrophe if a new dean is not selected by the start of the Fall '85 semester; Headrick has indicated that he will stay on as dean until a new dean can be found. However, in the interest of a smooth administrative transition it would certainly be preferable for a selection to be made by August 1st, as originally planned. We therefore urge the Committee to expedite the selection process as much as possible without sacrificing its objective of finding a suitable replacement for Dean Headrick.

### Don't Ignore U/B Law School

"Three strikes and you're out!" or so the saying goes. In the case of the U/B Law School, it is three pipe breaks . . . but who do we throw out? Who do we blame?

Obviously, no one is going to come forth and accept the blame. Although the real culprits probably are the builder and the administration who selected him, so much time has passed that it would be difficult enough just to find out who and where they are. However, the more important issues are: Who is going to take the responsibility for ensuring that the necessary repairs will be done expeditiously? What is going to be done about the problems? When are the problems going to be addressed? Why has there been such a delay?

Answers to these questions are difficult to come by. No one seems to know exactly what is going on. One administrator tells you the other is in charge. Doesn't anyone care about the law school and its students? Or do we just exist (and I use that in its most primeval sense) to bolster the reputation of SUNY at Buffalo?

Why did five years pass before the school contracted to have O'Brian's roof repaired? Apparently money was not a problem. Just look around and you see a new dental school, a new management building, a new social science building, a new student activities building, and increases in money for research. The most logical answer, then, is that the Law School just doesn't pull rank with the administrators of SUNY at Buffalo. We at the Law School have to give up our classrooms for the scheduling of undergraduate classes. We have to put up with noisy undergrads in our library. We can't even get *major surgery* to repair leaky roofs and windows, broken pipes, broken water fountains, holes in the ceiling, decayed carpeting, missing lights, ad infinitum; yet the Capen-Norton-Talbert lounge area can get a *cosmetic facelift* (sunken living room and new furniture).

The SUNY administration promises to leave their plush offices in Capen and come to this building to see how poor its physical conditions really are. But we don't want any more promises; we need action and we need it now. But just in case the weather is still too cold for them to leave their warm nests and come to us, we have decided to bring the law school to them in our pictorial layout on page 5 of this issue.

By the way, the dumpster and garbage pails on the 7th floor of O'Brian, placed there to catch the water from the leaky roof, became full this weekend. Will we have to call Public Safety's emergency number all the time before anyone will empty them out?

### Double the Mandatory Student Fee Increase

The Student Bar Association will be holding a referendum March 6th and 7th to determine whether the law school student activity fees will be mandatory or voluntary for the next four years. In addition, the referendum will ask students who support the mandatory student activity fee to increase the student activity fee by one dollar per semester (two dollars per year). We support both the continuation of the mandatory fee policy and the adoption of an activity fee increase; however, the SBA, and particularly the Finance Committee, should reconsider their decision with respect to the fee's dollar amount. Why, you ask?

First of all, the SBA has, and will, continue to charter new student organizations. Last semester, two organizations were chartered and will be eligible for SBA fiscal assistance. This increases the number of fundable groups to eighteen. Together with the necessary administrative expenses of the SBA, the new budget will total approximately \$35,000.

Secondly, administrative costs will not decrease but, more probably, *substantially increase* during the next four years. Coupled with decreasing enrollment/admissions and a minimal fee increase, the SBA may find itself facing severe deficit problems within the next two years.

With every problem, however, there are alternate solutions. The SBA, and implicitly the Finance Committee, may refuse to charter any new clubs or organizations during the next four years; the SBA may reduce or entirely cut funding for certain currently-funded clubs or organizations; or the SBA may merely cut such "unnecessary" expenses as the telephone service, or athletics, or the social activities budget. While these answers may seem exaggerated, or drastic in effect, they are possible.

We would recommend an alternative which is not only possible, but *plausible* — up the recommended increase to two dollars per semester (four dollars per year). Such an increase would not only allow the SBA to continue funding present organizations, but new clubs as well. Such an increase would also be substantial enough to offset the expected cost-of-living administrative expense increases and the possibly decreasing enrollment during the next four years. And this is where the prevailing shortsightedness of the SBA has come to the forefront. Ms. Peca (page 3 of this issue) justifies the increase in light of the next year's budget, *only*, but doesn't address what may happen during the next *four* years.

If you are currently a member of any law student organization (or plan to be), whether it be P.A.D., B.L.S.A., *The Opinion*, or the Buffalo Public Interest Law Program, and want organizations such as these to remain a viable part of the law school community, vote in favor of the mandatory student activity fee. If you want organizations such as these to be in existence four years from now, let the SBA know at their next meeting and *demand* a larger activity fee increase!!

### Eulogy for the B+ Student

The grading system: this issue (if indeed it is an issue), is of vital importance to the 800 or so similarly and not so similarly situated law students. We all know what's at stake — post-law school employment, the kind that pays money. Regardless of how altruistic our motives for coming here are (or were), the human body needs both food and clothes. For these we need money; for money we need jobs. (Impeccable logic, but this is serious.)

Believe it or not, the Editorial Board believes the Buffalo Model does have some merit, with all that that implies. But for the moment, let's address immediate concerns. Whether a 1st, 2nd or 3rd year student, chances are you've encountered the following situation. You're in a half hour interview and the interviewer asks you what "Q" is. You can't just say it means you pass, nor can you say it's an outstanding grade rendered only on rare occasions to only the most brilliant and promising law students. So you tell them a "Q" is a "Q" is a "Q," and they say, "Nice meeting you, good luck."

So here is our dilemma. The grading system, as we understand it, was implemented genuinely to reduce competition and the concern for grades, and focus our energies on our "genuine" desire to learn. Again, this is good (in theory anyway). On the other hand, employers need some sort of scoreboard to somehow make decisions. "H"'s are great so they don't concern us here, but what does a student do with a "Q"?

The real problem, as we see it, is the former B+ student, still plugging away and collecting his or her "Q"'s. Emanuel L. Gilbert, who admittedly abuses the system, has a basket full of "Q"'s too, including a couple "Q--"'s. (Shoot the person who says, "He's only cheating himself.") This stings, for come job time E.G. is in the same place in line as the B+ student who worked twice as hard and whose work was only recognized as a "Q."

Let's face it, though there are many brilliant people in this law school, most could roughly be categorized as B+ to A students, (why we're not at Harvard). For persons used to academic reward, a naked "Q" is tough to live with. The by-product of this is almost a disincentive to invest the time and energy to "really" learn our courses. This is clearly at odds with the purpose of the grading system in the first instance. This isn't good. So let's talk solutions.

The Editorial Board believes the grading system should be seriously reevaluated (not necessarily abandoned). We suggest even a temporary solution: instituting the "Q\*" as a permanent grade, one in which the B+ student might find some consolation or maybe even reward. As it stands to many, the grading system is a game, one in which winning, and not learning, is the goal; a game many have become adept at.

## Letters:

# Amnesty International To Seek SBA Charter

### Read This Letter!

A belated Welcome Back to all at SUNY Buffalo Law School! Now that the workload swamp has begun, I am — of course — going to request that you take some time out (absurd?) and acquaint yourself with a critically important and worthwhile organization, Amnesty International.

"Amnesty International is a worldwide movement independent of any government, political grouping, economic interest or religious creed." Imagine! Amnesty International is extensively involved in Human Rights Work. Do not stop reading! Amnesty works on releases for "prisoners of conscience" all over the world, in every hemisphere, from all backgrounds.

Okay, so what's the point? For all of you whose "interests" lie elsewhere, be it Corporate (at SUNY Buffalo? Lonely?), Legal Aid, Civil Rights, Women's Rights, Environmental Issues, Animal...Bless You — but take a minute and think about the basics to all interests and movements. If you don't have them, you have nothing to fight for or about.

"Practical Experience" — what a concept — a feeling of contribution, of being needed, a real work product — something other than a research memo or a treasure hunt. How many are complaining that they do not get this at Law School?

It is my belief that Amnesty International is the place for you. How? One way Amnesty makes

a difference is through letter writing/telegram campaigns hosted through an Urgent Action Network, designed to put pressure on governments holding "political" prisoners, as well as those whose use of torture has been exposed. I've got to be kidding — right? Wrong! Good grief — you really can make a difference — be it in aiding a release effort or by simply providing hope and support to a prisoner miles and miles away who no longer feels alone. (Other "practical" projects on the agenda include student participation in LRE-Law-related Education projects in the area high schools, performing an educational and informative role for the next generations...concert benefits — searching for the stars, and providing the student body with guest speakers.)

You want to know more about Amnesty you say? Oops, you just missed our first meeting, but feel free to stop me in the hall (if you're armed with coffee) or drop a line in my mailbox — #15 (I love mail that isn't typed).

I will be seeking a charter for Amnesty from the SBA, and as such more will be heard about Amnesty International and SUNY at Buffalo's new established alliance with the Amnesty Campus Network. Okay, you've wasted enough time away from the books!

Ciao for now,  
Margot S. Bennett  
Chair

Amnesty International  
UB Law School Chapter

# Thirty Attend Public Interest Symposium

by Lionel Rigler,  
Graduate Assistant for  
Public Interest Careers

Almost thirty U/B Law students travelled to New York City on Thursday, February 14, and Friday, February 15, to participate in the Public Interest and Public Service Legal Career Symposium held at the New York University Law School. This was the first time U/B students participated in the program.

Approximately seventy public interest employers were on hand to discuss what opportunities were available for law students with their agencies and to interview students for summer and permanent positions. Panel discussions were held throughout the two days concerning various public interest practices.

Among those who attended the symposium was Susan Helberman, third year student. She said, "There was a wide range of Public Interest Employers with whom one could speak informally, to get information about staff attorney positions, or speak on a more formal level if a prior interview had been arranged, or they were willing to grant one."

"On the whole the conference was very well organized. I especially liked the fact that they had programs running between the interviews: there was a good mix of formal interviewing with informal discussion," she said.

The agencies in attendance ranged from the Securities and Exchange Commission to Legal Services offices to the Center or

Constitutional Rights. Although the agencies were mostly from the New York City Metropolitan Area, representatives came from such states as Florida, California, and Minnesota.

Rob Goch, first year student, said the symposium was "informative and I was surprised at the wide range of opportunities available in public interest law."

"I regret that I didn't leave myself enough time to fully take advantage of the situation," commented Caroline Silk, second year student.

Next year the symposium will be held in February at Fordham Law School.

## Student Intrigued by Opinion

### To the Editor:

How disturbing to learn that the editors of your award-winning newspaper are in "constant contact with members of the student body." (*The Opinion*, February 6, 1985).

Which body? Has it not yet begun to sprout, as bodies will? And which members? The mind boggles. Legal implications notwithstanding, isn't this constant contact uncomfortable, inconvenient and exceedingly unsanitary?

Answers, please. I'm intrigued.

Sincerely,  
Henry Dickson  
First Year Law Student



# Odyssey of a Vice-Presidential Candidate



by Andy H. Viets

**Author's Note** — The following column is strictly intended to be a humorous account of my meanderings as a Student Bar Association Vice-Presidential candidate. In no way is it meant to belittle the SBA, the office of the Vice-Presidency, or my opponents, Lori Cohen or Todd Bullard. On the contrary, I congratulate Ms. Cohen on her victory and wish her and Mr. Bullard nothing but good fortune in what I am

sure will be their continuing successful, influential and productive careers as SBA officials.

Thursday, January 31 — At the aptly named Blizzard Bash held at the Pine Lodge this evening, I learn that Tony Torres has resigned as Vice-President of the SBA and that a special election will be held to fill the position. My first thought is to run the entire Editorial Board of *The Opinion* for the post, but am informed by a reliable source that this

would be unconstitutional. So, after drinking myself into a drunken stupor, I announce my own candidacy. Unfortunately, however, most everyone else is in a similar state of non-sobriety so no one comprehends what I am saying.

Tuesday, February 5 — I am working behind the circulation desk in the library when one of my opponents approaches me seeking signatures for her petition. Realizing that the competition will be stiff, I quickly obtain several petition sheets from the mail room and immediately commence soliciting the requisite eighty signatures in order to get my name on the ballot. My strategy is simple: no one is going to take a book out of the reserve area unless he or she first gives me his or her John Hancock on my petition. This proves to be fairly successful — in less than three hours I obtain over sixty signatures.

Thursday, February 7 — Through a combination of threats and pleadings, I manage to obtain the remaining necessary signatures to get my name on the ballot. The campaign is now gathering momentum as I develop my platform and ready myself to be interviewed by the media (I am hoping that Dan Rather gives me a call — I could use the television exposure). I attend *The Opinion's* Silver Anniversary Recruitment Party where I am asked to outline my positions. At this point I have only one — taking a page out of Rich Gottlieb's *Campaign Promises I Have Come To Regret* book, I announce that, if elected, I intend to rotate the Vice-Presidency among the editors of *The Opinion*.

Saturday, February 9 — While laying out *The Opinion*, I am informed that the date of the election has been changed from this coming Friday to this coming Thursday so that more people will be able to vote. In order to

avoid any allegations of a conflict of interest, with respect to the upcoming edition of the paper, I limit my contribution to making sure that my name appears as often as possible on every page. In addition, instead of being my usually witty self, I use my column to make a statement of my positions (refraining from putting a picture of my backpack in along with it).

Monday, February 11 — I learn that Election Day has been changed once again, this time to a week from Wednesday (it's just that ol' SBA consistency at work again). I therefore decide to downshift my campaign to second gear but to increase by fundraising activities. My campaign war chest currently holds ninety-five cents. I am also in the process of seeking additional media coverage — Dan Rather hasn't called yet but the *Amherst Bee* might be interested in doing an in-depth interview.

Wednesday, February 13 — Dan Rather still hasn't called and the *Amherst Bee* piece has fallen through (it failed to meet my demands of a large contribution and an endorsement). I have to settle for my position statement in *The Opinion* (circulation — 2000, readership — 13).

Friday, February 15 — I get to O'Brien Hall at around 6:30 P.M. for my Trial Technique class when I notice that one of my opponents has started to get serious. She has placed three four-color posters prominently displaying her name and resumé at strategic places of the law school. I decide to counter with signs of my own, spending all of the money in my campaign war chest on photocopies (you don't think I made them all myself, do you?).

Tuesday, February 19 — It is the day before Election Day. My signs are up and I am telling everyone to vote for me. I realize

that my campaign is in trouble, though, when I overhear someone say "I don't know who I'm going to vote for, but it sure isn't going to be for that guy with the backpack. I mean, give me a break, who's he trying to kid?" In addition, a total of only ten people (including the candidates) show up to hear me espouse my political philosophy at the Vice Presidential Candidates' Forum. I immediately change my platform from one based on the issues to one based on graft. My offer is simple — anyone who votes for me will get whatever he or she wants upon my election.

Wednesday, February 20 — It is Election Day. I set up shop near the ballot box in order to conduct an exit poll. Everyone I ask says that he or she has voted for me. I figure that I am in until I realize that I have asked only people that I know. After twenty minutes I am accused of campaigning too close to the polling place (actually, no accusation is necessary — I freely admit it). At 5:00 I go to the SBA office to find out the results. The vote counter, in a poor attempt to hide her glee, tells me that I have lost — and badly at that. I now know what Walter Mondale felt like this past November. We're talking about a blowout here; a landslide of major proportions. I depart for home to drown my sorrows with a can of Wegman's ginger ale.

Epilogue — Well, at least I am consistent. My latest venture into the world of politics has once again resulted in an abysmal failure. This makes the third major election I have lost, dating back to a devastating loss in the East Meadow High School Senior Class Presidential race in 1977. No matter. I have been informed that by virtue of my receiving in excess of five percent of the popular vote in last Wednesday's election, it is very likely that I have qualified for federal matching funds. My next campaign, therefore — for the mayoralty of Santa Barbara — will commence shortly.

## SBA Grants Funds

At the February 11, 1985 meeting of the Student Bar Association various matters were considered, but the central issue of debate which was concentrated on concerned the funding of the Frederick Douglas Moot Court Competition.

The budget for the Competition presented to the Finance Committee indicated that sending seven people to the Competition to be held in Syracuse would cost a total of \$845.00 (lodging, food, transportation and delegate fee). The Finance Committee recommended that the SBA give \$300 to the Competition to be held in Syracuse (the balance to come from BLSA funding and a grant from the law school administration). After considerable discussion and a heated exchange between first year director Todd Bullard and SBA President Richard Gottlieb over parliamentary procedure, the SBA Board of Directors approved giving \$370

towards the Competition. This sum, when added to the \$275 BLSA funding and the \$200 administration funding, would make up the total of \$845.

The other proposal voted on at the meeting concerned the law school's grading system. In early March there is to be a student referendum on the issue of mandatory fees. A second question has been added to this which will have students express their feelings on the grading system.

In addition, Bullard, as chairman of the Rules Committee, reported that the Committee has made two proposals. The first is a change to Bylaw 13 which would make the paying of dues to any SBA recognized law student organization optional. The second is an amendment to Bylaw 14, which would require that seventy-two hours prior notice be given for any SBA Special Resolution and that the Resolution be posted in visible locations.

## SBA News Release

Tuttle

Wendy Tuttle, a first year law student, has been named one of two students on the University Library Director search committee. Bob Wagner, Vice President for University Services made the announcement February 19th after interviewing nominees submitted by the individual student governments.

Rich Gottlieb, SBA President, noted that Tuttle's name had come highly recommended from Ellen Gibson, law library director, because of Tuttle's active role in the SBA's Library Committee.

### Word Processing

The Student Bar Association is investigating the possibility of

purchasing word processing equipment for use of the students of the law school.

Rich Gottlieb, SBA President, says that the equipment purchase would "help students in the way they need it most: for the job search."

"This is an opportunity to develop a self-sufficient word processing center, cutting the costs to students and saving not only money but time," Gottlieb said the idea was initiated when Dave Hoffman, a second-year law student who is also President of Sub-Board, approached the SBA President with the suggestion. Hoffman addressed the Board at the SBA meeting of February 21.

## Activities Fee Referendum

by Gina Peca

A referendum will be held in March to determine whether student activity fees for the next four years will be mandatory or voluntary. It is the recommendation of the Finance Committee that the fees be mandatory.

The Student Activity Fees presently fund sixteen organizations in the amount of \$16,790. There are administrative costs totaling nearly \$15,000 which include the following line items: telephones, duplicating (xeroxing), Distinguished Visitors Forum-Speakers, student athletic fee, conventions, social, commencement, office supplies, orientation, *Reach* publication, child care and unallocated.

Upon careful consideration of the budget, the Finance Committee is recommending a one dollar (\$1.00) per semester increase in the student activity fee. This will raise the fee to \$20.50 per semester and result in a revenue increase

of approximately \$1,600.00.

The Finance Committee, in planning for the 1985-86 budget, has made some initial determinations. Although certain administrative expenditures are fixed, areas such as office supplies and duplicating will be reduced while funding for orientation will be increased to reflect true costs. Organizations will have separate duplicating lines and slightly decreased office supply lines. However, any group can request an increase in a line for specific expenditures, such as letterhead.

An increased Student Activity Fee will permit student organizations to increase their programs and activities for the coming year. Each group will be encouraged to set a tentative agenda including competitions, conferences, speakers and new projects. Any additional revenue generated will be used to increase funding to the organizations and to students in general,

such as through the social committee line.

Although this year's unallocated line presently contains approximately \$2,000, funding proposals are being approved by the SBA. Most of the money is unallocated as the result of the rollover from money not expended by student organizations last year. Next year's budget will attempt to provide the necessary funding to each organization, reducing the need for a high unallocated line, and encouraging increased activities.

The increased student activity fee revenue generated, in addition to unexpended unallocated money, will create a substantial amount of funds to be allocated to law school organizations and activities. Groups should plan an agenda for next year, including proposals for new activities. Each group will present requests for funding at the budget hearings, tentatively scheduled for March 25th and 26th.



# Students Spend Time in Nicaragua During Break

by Paul Kullman

While many U/B law students spent this past break with their families and friends and listening to the sounds of Bing Crosby's "White Christmas" filling the air, such was not the case with law students Frank Resillez and George Terezakis.

While the two did spend half of the break amongst familiar faces and friendly sounds, they spent the other half of their vacation sleeping in army co-op bunks and on church floors, sometimes awaking to the crackle of an AK-47.

Resillez, a first-year student, and Terezakis, a third-year, spent two weeks (January 13-27) in the war-torn country of Nicaragua. They were part of a 20-member group called Witness for Peace, which, according to Resillez, is a nondenominational religious organization which maintains a "continuing presence" in Nicaragua.

"They take people for two-week periods and they do their own sort of investigative reporting on the situation down there," Resillez said. "They try to maintain a very independent political line."

Terezakis said any time there is an attack on an area, members of the Witness for Peace organization "go in and interview the victims and try to find out exactly what happened."

## Students Shared Common Interest

It was this same interest in finding out just "exactly what was happening" in Nicaragua that prompted Resillez and

Terezakis to travel to the strife-ridden country. The two students first crossed paths at an International Law Society meeting at Law Professor Virginia Leary's house last September. Terezakis said he and Resillez discovered a common interest in Nicaragua and discussed how feasible it would be for them to go down there.

"We were interested in going down there because we wanted to see firsthand what was going on, how the people felt, if they supported the Sandinistas, and how they felt about the Contras," Terezakis said.

The Sandinistas currently control Nicaragua, but are under constant attacks by various politically-backed Contras, according to Terezakis. He said many of the Contras were former officers and soldiers under the country's previous leader, Anastasio Somoza.

## Objectivity and Observance Were Primary Goals

"One of our primary goals in going down there was to be objective," Terezakis said. "We knew we were going down with certain preconceptions, but we were aware of that."

While the trip marked Terezakis' first excursion into Central America, Resillez had spent approximately eight months traveling throughout the area (though none of it in Nicaragua) while an undergraduate at the State University of New York at Binghamton. A native of Cuba, Resillez majored in political science and Latin American studies, and spent part of his junior and senior years studying in Central and South America through a pro-

gram sponsored jointly by the Organization of American States and the SUNY system.

Resillez said he and Terezakis wanted to see as much as possible and talk to as many people as possible. "We wanted to see their system of political process in relation to other Latin American countries and in relation to the U.S."

## War Leaves Trail of Death and Destruction

What the two also saw was the carnage of war and its resultant effects on the people and economy of Nicaragua. Among other things, they saw the wreckage of a coffee-processing plant located just a quarter mile outside their camp in Molina; a pile of ashes in the Pantasma Valley where a lumber mill once stood; and the skeletons of numerous burned-out trucks along the duty paths of their travel.

The pair also saw "a tremendous loss of life," Terezakis said, as well as dozens of injured people and orphaned children. They also heard gruesome stories from wives whose husbands had been "butchered in front of them by the Contras," according to Terezakis.

Resillez characterized the current fighting in Nicaragua as a "wait-and-see type of war." "While the war down there is not one big act, there's always the likelihood of an attack any minute," he said. "You get hit now and you get hit later. It's a big misconception to come to Nicaragua and expect to go into an area where bombs are just falling on you. No country down there has enough money to spend that

much because even a bullet is expensive.

## Weapons and Fighting Were Commonplace

While the two did not witness any actual fighting during their stay in Nicaragua, they did see a lot of Nicaraguans carrying weapons, much the same way a law student totes around his books.

"You get used to traveling everywhere with the militia carrying AK-47s," Resillez said. "But we never felt uncomfortable. We never felt threatened by the (Sandinista) soldiers. We never detected any hostility towards us."

In addition to seeing the sights of war, both Resillez and Terezakis experienced the sounds as well, often hearing the sporadic crackle of artillery fire while in the countryside near the northern Honduran border.

"They (the Witness for Peace organization) actually found that when they get into contested areas in the countryside where we were, though, the level of violence goes down," Terezakis said. "They (the Contras) stop the attacks when there are Americans in the area." Nevertheless, both students said curfews are

strictly enforced near the northern border.

"You don't want to walk around in the dark in the countryside because you might get mistaken for a Contra and get shot," Resillez said. "Also, you don't want to give away your position to the Contras and open yourself up to an attack by them."

## Experiencing It Supersedes Reading About It

Both Resillez and Terezakis said they learned a great deal from their two-week visit to Nicaragua and both hope to eventually go back to do further research there. "It was a fantastic trip," Resillez said. "You were able to pick up pieces here and there and form your own theory of the situation down there. You see some good things, but you also see some things that are doubtful and that might worry you for the future."

Terezakis added, "But you can't just read about what's going on down there, you have to experience it in order to better understand it."

*Next issue: Resillez and Terezakis describe their understanding of the current conflict in Nicaragua.*

# Law Revue at Tralf

by Peter Scribner

The 36th annual Law Revue will be staged this year at the Tralfamadore Café on Sunday afternoon, March 24. The nationally renowned Tralf is located downtown on Main St. in Buffalo's Theatre District. The new location is expected to step up the glamour of this annual festival of Law school talent.

The Revue features the comic and musical talents of members of the law school community. All students and faculty members are invited to participate. Plans are already afoot to stage the "Charles Carr Moot Court Competition," a judicial rendition of Sandra Day and the Supremes, and a variation on "Ghostbusters" (called "Tortfeasors", to be performed by the first year Section One).

Students who would still like to enter a skit or musical act in the Revue must submit their ideas to the Revue committee by Thursday, February 28. Actual scripts of proposed skits will not be required until the following Friday, March 8. Ideas for skits should be submitted to Peter Scribner (mailbox #819).

Danny Elias will be acting as musical director for the Revue. There are already several students and faculty members willing to perform their own work or participate in a "pit" band that will accompany other acts. But Elias says that more musicians are definitely welcome. All kinds of music are appropriate: classical, jazz, rock, folk, whatever; and all types of musicians (especially piano and bass guitar players) are needed. Musicians who want to participate can contact Elias through mailbox #358.

Faculty members as well as students are encouraged to participate. Sandy Cassidy (mailbox #548) will be acting as the contact person for faculty participation. Anyone interested in helping with the writing of skits should contact Randy Fahs (mailbox #73). And in general, anyone who would like to participate in the Revue in any way may contact Revue Director Howard

Spieler (mailbox #762). If you would like to be in a skit but don't have any particular material in mind, the Revue Staff can connect you with groups that need your help.

## Law Review Competition

The *Buffalo Law Review* invites all first-year students interested in joining the *Review* to attend an Informational Meeting on Tuesday, March 12, at 4:00 in Room 106.

Associate members will be present at the meeting to describe the *Review's* annual case-note competition (which will be conducted twice this spring), to distribute additional information which might prove helpful to participants in the competition, and to answer any questions students may have about the *Review* and its activities.

The *Buffalo Law Review* is a professional journal published three times a year by students of the law school. Its purpose is two-fold: to select and publish significant student and professional contributions to legal scholarship, and to provide members with an opportunity to develop their own writing and research skills.

Participation in the casenote competition is necessary to be considered for *Review* membership. A competitor is referred to a recently decided case dealing with an area of law covered in the first-year curriculum, and is given ten days to write a short (no more than eight-page) paper reviewing the facts of the case, identifying the important issues it presents, and analyzing the court's decision. Each such "casenote" will be read by several editors of the law review over the summer, and judged on substance, writing ability, and form.

The *Review* encourages all interested first-year students to enter the casenote competition, particularly racial minorities and economically disadvantaged or otherwise handicapped students.



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#### SUMMER SESSION 1 May 20 to July 1

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Commercial Paper	3
Conflicts of Law	3
Criminal Procedure	4
Debtor-Creditor	3
Evidence	4
Housing and Community Development	2
Law and Psychiatry	3
Real Estate Transactions	4
Remedies	3
Secured Transactions	3
Unfair Trade Practices	3

#### SUMMER SESSION 2 July 2 to August 12

COURSES	CREDITS
Administrative Law	3
Commercial Transactions	
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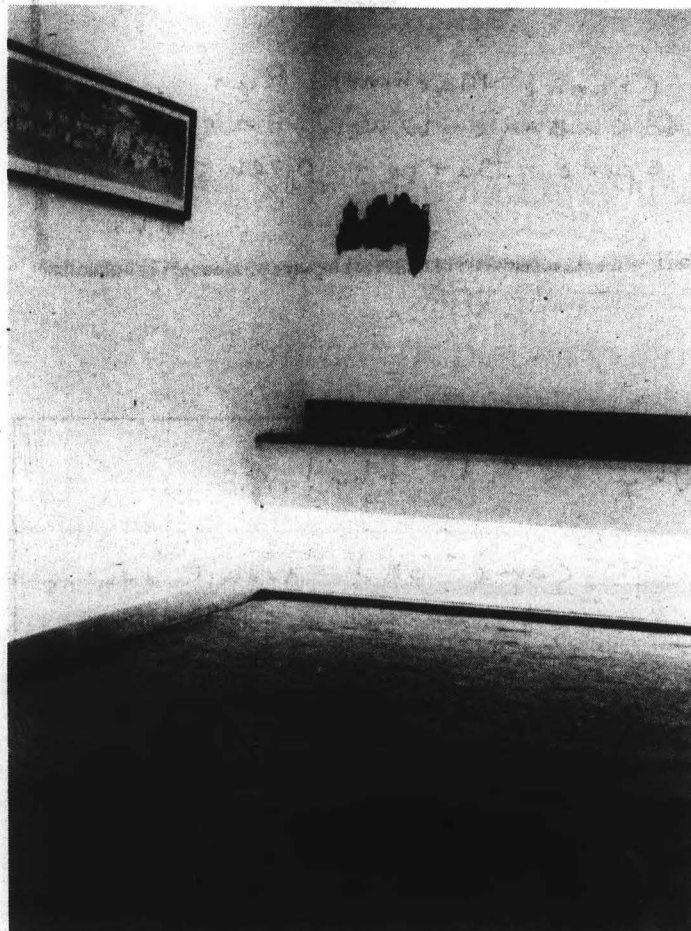


# Law School Damage Continues; No Relief Yet

continued from page 1



Patio on second floor of Law Library is barren of ivy and trees that were there last year.



Rolled-back rug, wet matting and hole in wall in O'Brian Room are results from broken pipe.



Only pipes remain after water fountain on 6th floor of Library was removed because maintenance got tired of fixing it.

Photos by Victor Siclari

that it would be a good thing for the people in charge of the repairs and maintenance to make a tour of the campus buildings." This was done on a yearly basis in Headrick's last job in order to see what repairs were needed. Greiner agreed that this was a good idea, so Headrick sent a memo to Gibson requesting information about needed repairs in the Library.

Gibson responded with a three-page single-spaced memo detailing the problems in the Library which Headrick can refer to when O'Brian Hall is inspected by Vice President for Finance and Management Edward W. Doty, Vice President for University Services Robert J. Wagner, and University Provost William R. Greiner. Headrick then forwarded his own memo to Greiner on Wednesday, February 20. Although Headrick is unsure when Greiner will respond to his memo and set a date for the inspection, he did say that O'Brian is the first building on the inspection list.

## List of Problems Run the Gamut

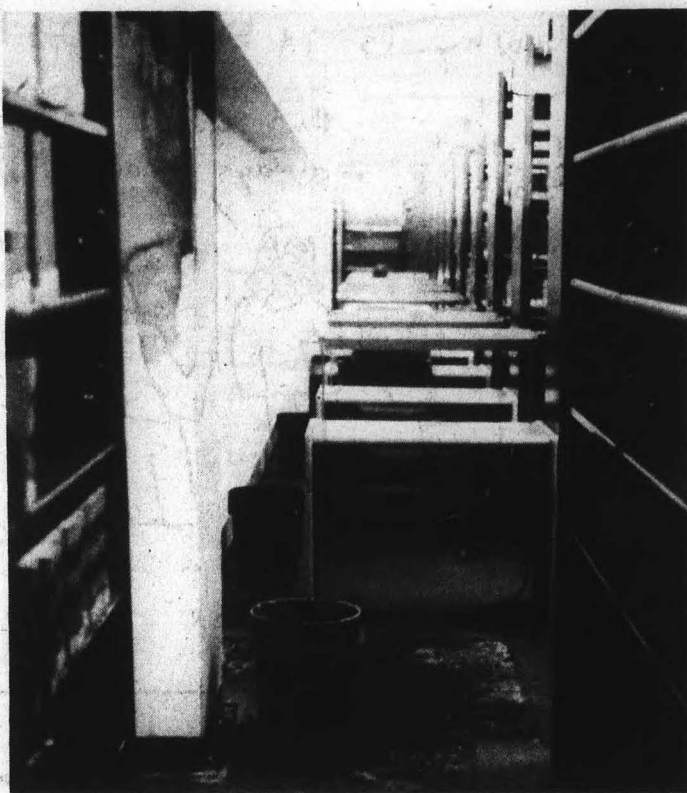
Besides Gibson's concern about the repetitive pipe bursts, her memo informed Headrick about the new roof leak on the fourth floor where water is dripping through the seams of the skylight. Another major problem is the carpeting throughout the Library. The seams connecting the different sections of the carpet are coming apart and have caused people to trip and fall. According to Gibson, a carpet man said the carpet only has a ten year useful life and is too old to repair. It cannot be stretched and reglued but has to be replaced.

In addition to the general roof leaks on the seventh floor of O'Brian Hall, the Library's seventh floor also has suffered water leaks which caused it to return a collection of New York Court of Appeals Cases, which were on loan, to the Eighth Judicial District Library. Now the Library only has a set on microfiche. Although the mildew from the water leaks is not as bad as it was, said Gibson, the water continues to leak and is causing the ceiling plaster to dissolve and crumble.

On the sixth floor of the Library where the new Koren Center was dedicated last semester, Gibson is still waiting for new lights to be installed in the reading area. Most of the Library's lighting is provided by fixtures attached to the bookshelves so when the bookshelves in the Documents Area were moved to make room on the sixth floor for the reading area, the floor lost most of its lighting fixtures. Gibson put in a formal request for lights on September 17 and is still waiting.

Other problems on the sixth floor is a window that leaks in the Documents Librarian's office and a pipe that remains sticking out of the wall where the water fountain was removed because maintenance decided it was no longer going to repeatedly fix it.

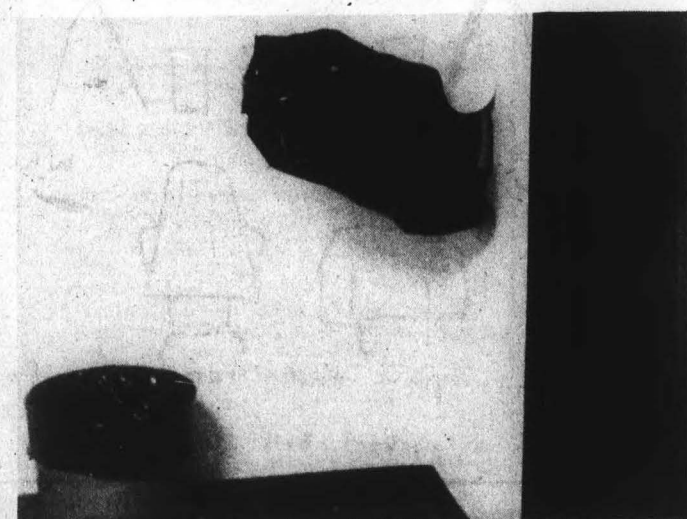
In the rear of the second floor, snow blowing underneath the patio doors has caused the carpet to rot and mildew. In addition, the curtains on the patio doors have rotted from the sun and need to be replaced to protect the books and shield the readers from the glare of the sunlight. Also, the landscaping was removed from the patio and all



On 7th floor of Library, leaks in the roof have caused the plaster to crumble and the carpet to deteriorate.



New Reading Center on 6th Floor is still waiting for ceiling lights after six months.



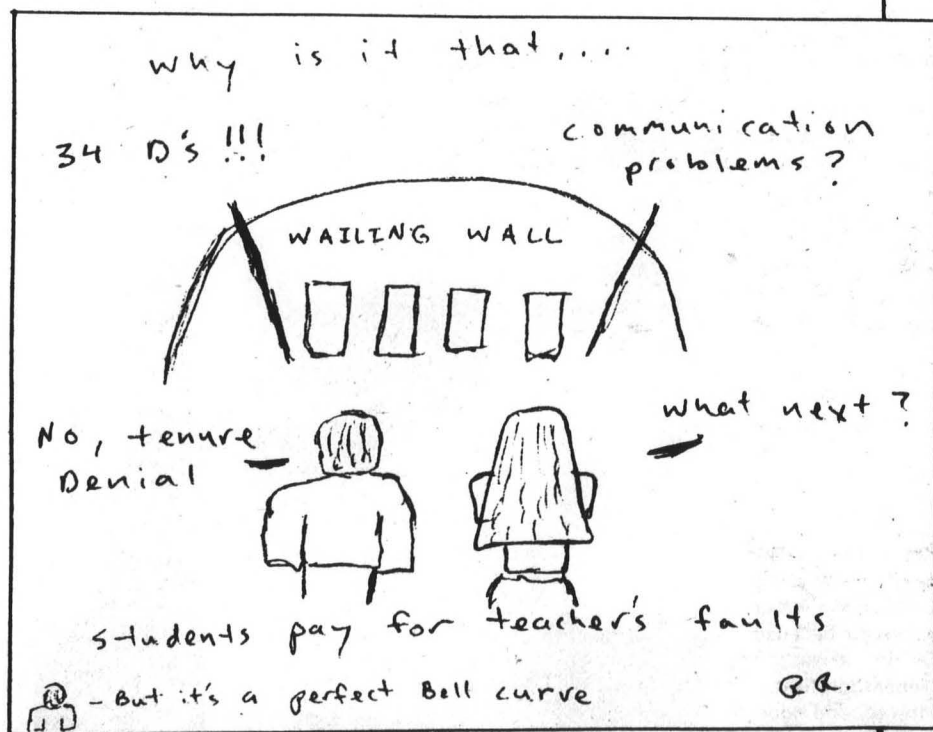
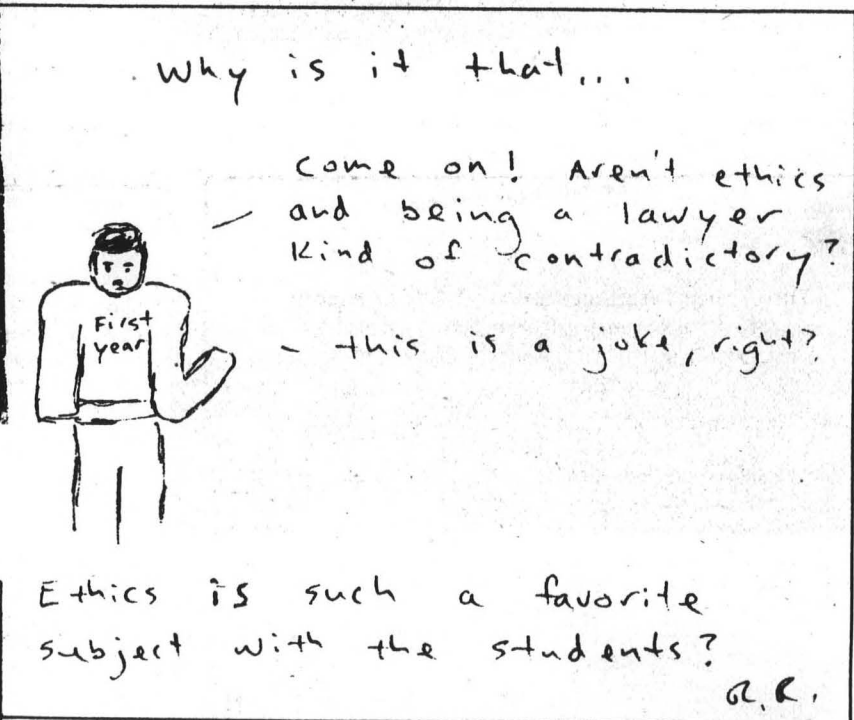
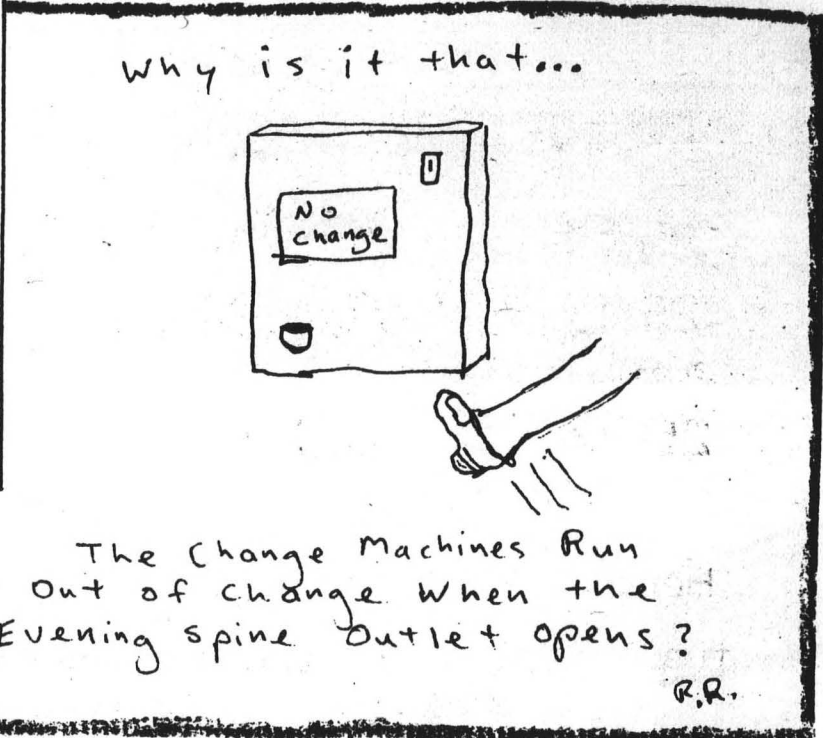
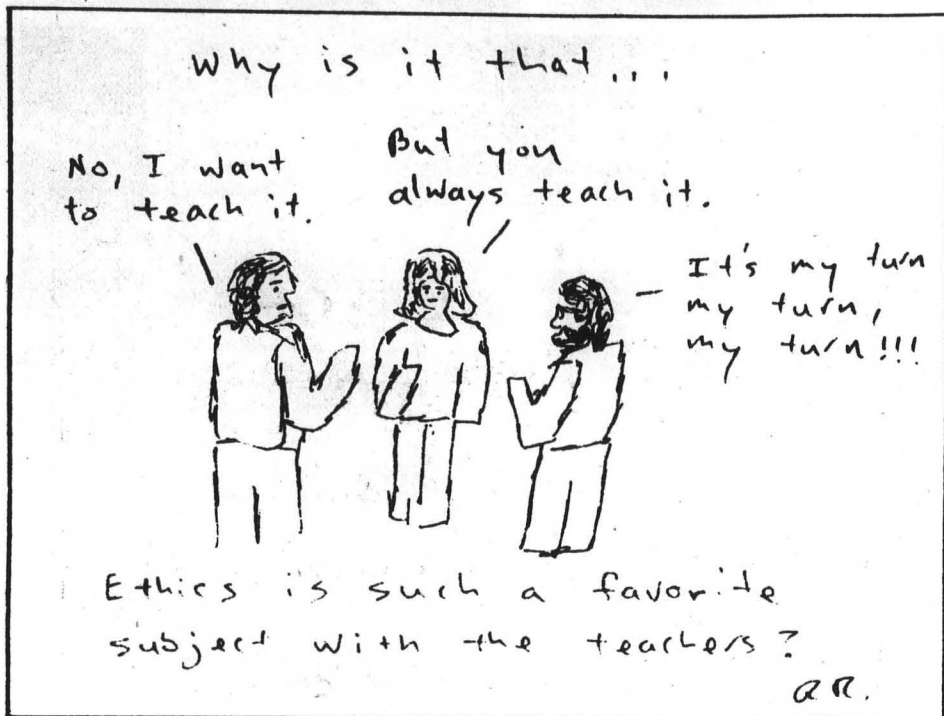
Water fountain on the 7th floor of the Library is left out of commission.

that remains is black paint on a trough. Gibson noted that this is particularly unsightly, and expressed her surprise that of all the problems, nothing has been

done to ameliorate this one since University President Steven B. Sample holds the orientation for incoming law students in this area.



# WHY IS IT THAT...



*The Opinion's* publication schedule  
for the remainder of the spring semester  
of 1984-85 is as follows:

ISSUE	COPY DEADLINE*†	LAYOUT*	DATE OF PUBLICATION
25:11	Wed, 3/6	Sat, 3/9	Wed, 3/13
25:12 <i>Onion Insert</i>	Wed, 3/20	Sat, 3/23	Wed, 3/27
25:13	Wed, 4/17	Sat, 4/20	Wed, 4/24

\*Hours for deadline and layout are 12:00 noon.

†Late copy accepted only upon prior notice.

*Any submissions must be typed double-spaced  
and can be placed in the manila envelope outside The Opinion office  
(Room 724 O'Brian Hall) or in mailbox #754*

The Alumni Association and CDO present  
the following information panels  
which all students are invited to attend.

<i>Real Estate Practice</i>		
Wednesday, March 13	3:30 p.m.	Rm. 210
<i>Corporate Law Practice</i>		
Wednesday, March 20	3:30 p.m.	Rm. 210
<i>Matrimonial Practice</i>		
Wednesday, April 10	3:30 p.m.	Rm. 210

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## BUFFALO LAW REVIEW

VOLUME 33 WINTER 1984 NUMBER 1

### Articles

THE 1983 JAMES MCCORMICK MITCHELL LECTURE—A  
HURDLE TOO HIGH: CLASS-BASED ROADBLOCKS TO  
RACIAL REMEDIATION

*By Dean Derrick Bell*

PRIVACY: CONTROL OVER STIMULUS INPUT, STIMULUS  
OUTPUT, AND SELF-REGARDING CONDUCT

*By Paul Siegel*

SEXUAL EQUALITY, THE EQUAL PROTECTION CLAUSE,  
AND THE ERA

*By Phyllis Segal*

THE PRIORITY SECURED PARTY/SUBORDINATE LIEN  
CREDITOR CONFLICT: IS "LIEN-TWO" OUT IN THE  
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*By David Frisch*

### Comments

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# New Jersey Declares Year of the Environment

by David Platt,  
Environmental Law Society

The American Law Institute and the American Bar Association co-sponsored a Course of Study in Environmental Law in Washington, D.C., on February 14-16, 1985. Topics which were covered ranged from hazardous waste and toxic substances control under the Resource Conservation and Recovery Act (RCRA) and the Toxic Substances Control Act (TOSCA), to recent developments under the Clean Air Act, Clean Water Act, and National Environmental Policy Act (NEPA). Public lands law and certain aspects of regulatory reform were also on the agenda.

## N.J. Plans to Clean Up

The theme for the three-day session, that of increasing implementation and enforcement of environmental regulations, was set by Governor Kean of New Jersey, the keynote speaker. Kean, who billed himself as a staunch Republican and conservationist ("the two are not necessarily contradictory"), has proclaimed 1985 the "Year of the Environment" in New Jersey. Kean believes that state governments must take the leading role in environmental protection during this "era of federal retrenchment," and that "economic and environmental development are two sides of the same coin." Pollution control and wise use of our natural resources," said the Governor, are not possible without a healthy economy.

Kean, who sponsored New Jersey's Spillfund (the prototype for the federal Superfund), believes that bipartisan cooperation is essential for progress to be made, and that strict enforcement of laws is imperative. Strict enforcement, he believes, should not turn into industry harassment, however. A good system of incentives and penalties must be instituted so that "polluting becomes more expensive than not polluting."

## Kean Urges Cooperation Among All Sectors

Governor Kean cited several other problems which need addressing. One, the private and public sectors must learn to work together; progress is impossible without this essential element of cooperation. Two, environmentalists must begin to pay attention to the problems of the cities. This attention, he claims, has been lacking in the environmental movement, although "environmentalists frequently bemoan the fact that city people do not care about the environment." To save rural and suburban areas, the cities must be made nicer and safer places to live.

Finally, Kean stressed the fact that lawyers, who "forge and weld the tools of our legal system," must engage in a more positive and active role in the environmental movement. He closed by punctuating the importance of environmental conservation and protection as a national goal, stating "if we ourselves lay waste to our homeland, what is going to remain for Star Wars to defend?"

## Conference Attended By Private and Public

The well-attended conference included a good mix of industry spokesmen, environmentalists, government officials, and members of academia. Governor Kean was certainly not the sole government representative present. Other agencies well-represented included the Environ-

mental Protection Agency, Council on Environmental Quality, Land and Natural Resources Division of the Department of Justice, and various branches of the Department of the Interior.

In addition to numerous students and lawyers in attendance, many private organizations, such as The Wilderness Society, the Sierra Club, the Natural Re-

sources Defense Council, and the Environmental Law Institute sent spokesmen.

This ALI-ABA Course of Study was a worthwhile effort to educate the environmentally ignorant and to bring even the well-informed up to date on the status of the environment and the laws that govern it.

## Dean Search Committee...

continued from page 1

some students, members of the local bar, and University administrators" will be arranged.

## Sample Has Last Word on Decision

Thereafter the Committee will recommend three candidates to University Provost William Greiner, Alutto continued. Greiner "will then set up another round" of interviews and visits which will culminate in "the final winnowing out" of the candidates by himself and University President Steven Sample, who makes the ultimate hiring decision.

## New Dean May Not Be Chosen By Fall

Alutto acknowledged that a great deal of work remains before a final selection can be made, and that the process may be time consuming. Asked whether or not a new dean will be found by next fall as originally planned, Alutto replied, "I haven't the slightest idea; it's too early to tell." He emphasized however that the Committee is

"working under the assumption that it [the selection] will be made in the fall."

Other members of the Committee also voiced uncertainty over when the final decision will be made. "It's a difficult job because there are so many other law schools also seeking new deans," Law Professor Virginia Leary said. "I don't think we can say at this time when we will have a definite candidate."

Student Representative to the Committee and third-year law student Steve Wickmark said that although he "would be surprised to see it [the selection process] go to next fall... it's certainly conceivable that the kind of person we're looking for won't be available" in time for the beginning of the fall semester. On the other hand, "it could very likely take a lot of time if we have a lot of viable candidates," Wickmark noted.

## Headrick Will Stay Until Replacement Found

However, even if a selection is not made by the fall, the impact on the law school is likely to be minimal, since Dean Headrick has indicated that he would stay on as Dean until a replacement

can be found. Headrick nonetheless believes that there will be a new dean come next fall. "These types of things usually start slowly but pick up momentum... I think there will be a selection made by the fall," he said.

Committee members agree that this dean search will be particularly difficult because Headrick's shoes will be hard to fill. "Everyone wants another Tom Headrick: an accomplished legal scholar who is open to the kind of legal education that we get here," Wickmark commented.

Alutto echoed Wickmark's praise of the dean, saying that the Committee was seeking someone who would "continue Headrick's style" of encouraging progressive research and innovative teaching methods and promoting a degree of collegiality among the faculty which would not be found at a more traditional, autocratic University."

Garcia amplified her colleague's conception of the ideal candidate. "God," she joked. "A scholar who understands scholarly pursuits and a fiscal wizard who is able to deal with [the] Capen Hall and Albany [administrations]. That to me is looking for God."

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**A reminder:** This career-guidance program is designed to help students explore law practice options before making a final decision. The best way to make that decision is to learn about the realities of law practice by discussing those realities with someone who experiences them daily. A large, firm employment setting is different from the small firm; a government agency is different from a firm; litigation practice is different from a real estate practice; etc. Get a sense for these differences. If you have not already done so, stop by CDO and review the types of law practice areas available for a One-to-One meeting. Sign up for the one which interests you. We strongly encourage it.

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## Financial Aid Update:

# Reagan Proposes to Cut Financial Aid

by Steve Wickmark

### FINANCIAL AID UPDATE

**This is your second warning!!!**  
**The deadline for submitting your 1985-86 FAF which will determine your eligibility for NDSL and work study INCLUDING SUMMER '85 WORK STUDY IS — MARCH 15, 1985!!!!!!**

All of you have probably heard horror stories about Mr. Reagan's plans for financial aid in his newly proposed budget. In an attempt to set these rumors to rest let me assure you that the reality is probably worse than you have imagined. Below you will find a copy of a recent article published in the *Chronicle of Higher Education*, Feb. 13, 1985 which explains most of the financial aid components of the Reagan plan. After reading it I would hope that many of you, if for nothing more than personal greed, will be inspired to write to your congressional representatives in protest.

Quick note: Seniors be advised Sallie Mae no longer is buying and consolidating Student Loans.

First and second year students, the job of Financial Aid Advisor is open. Please apply. I don't want to be doing this next year. Deadline is March 1.

The White House proposed its most aggressive plan yet to restructure and cut back federal student-aid programs, in its search for ways to trim the deficit.

President Reagan's fiscal 1986 education budget would eliminate two student-aid programs and insure that grants and subsidized loans are limited to lower-income students.

The proposed budget called for \$6.28-billion for student aid in fiscal 1986. Congress provided \$7.9-billion for the current fiscal year.

The President's proposals would require all students and their families — particularly those in higher- and middle-income groups — to pick up more of the cost of a college education, and would eventually turn authority for all student-aid programs over to the states.

Representatives of college organizations, as well as education leaders on Capitol Hill, quickly announced their opposition to most of the proposals, saying they would hurt both students and colleges.

Said Sen. Lowell P. Weicker, Jr., the Connecticut Republican who chairs the Senate appropriations subcommittee with jurisdiction over the Education Department's budget, "I oppose the Administration's proposed funding levels for education, particularly the cuts in education loans and grants. Were they to become law, access to higher education would be severely limited, and we would return to the days when only the economically advantaged could go to college."

Following are the major elements of the Administration's student-aid plan:

**Ceiling on all aid.** No student could receive more than \$4,000 a year from all federal sources, including loans, grants, and work-study. Now some students can receive as much as \$11,000 a year, although few actually do so.

Needy students would be hardest hit under the proposal, analysts said, because it would reduce their choice of a college substantially. Graduate students

also would be greatly affected, since their tuition is generally higher than others'. In a preliminary analysis, the American Council on Education said the cap would reduce assistance to about 430,000 students.

Graduate-school officials were particularly concerned that the \$4,000 ceiling would discourage students from pursuing advanced degrees. About 65 per cent of all graduate students borrow the maximum amount of money — \$5,000 per year — available to them through the Guaranteed Student Loan program, according to the Congressional Budget Office.

**Income ceiling on Pell Grants.** The grants — which provide students with up to \$1,900 a year — would be available only to students from families with annual incomes of \$25,000 or less. Pell Grants would receive \$2.69-billion in fiscal 1986, down from \$3.5-billion.

The budget also would restrict work-study funds and National Direct Student Loans to students from families earning \$25,000 annually or less.

**Income ceiling on loans.** Guaranteed Student Loans would be restricted to students from families earning less than \$32,500 annually. The American Council on Education said that would prevent at least 460,000 students now eligible for the loans from receiving them in the future. The Guaranteed Student Loan program would receive \$2.7-billion in the coming fiscal year, down from \$3.08-billion.

Students from families that make more than \$32,500 would be able to obtain Guaranteed Student Loans, but the government would not subsidize any of the interest on them.

Those students' families also could borrow under the Parent Loans for Undergraduate Students program, but they would pay prevailing market interest rates. Loan limits under that program would be raised from \$3,000 to \$4,000 a year and from \$15,000 to \$20,000 altogether. Those loans now carry a 12 per cent interest rate.

**Change in the interest-rate calculations.** The basic interest rate for new Guaranteed Student Loans is now 8 percent. The budget would set the interest on new loans at the rate of 91-day Treasury bills, to reflect more closely the cost of money.

**Reduced payments to lenders.** Lenders, who now receive interest subsidies of up to 3.5 per cent beyond the basic 8 per cent interest rate, would receive a special interest allowance on

Guaranteed Student Loans of just 1.5 per cent beyond the Treasury-bill rate while the student is in college and 3 per cent when the student leaves school. Lenders now receive a special allowance of up to 3.5 per cent.

Reducing the rate to 1.5 per cent would discourage many lending agencies from making Guaranteed Student Loans and could threaten the future of the program, college officials fear.

**Restrictions on independent students.** New rules would make it harder for students to declare themselves financially independent of their parents for the purposes of receiving federal aid. Under the Administration's plan, all students below the age of 22, except for orphans and wards of the court, would be considered dependent students. Those 22 and older would be considered independent.

**Required student contribution.** All students would be required to contribute \$800 a year toward their college education before receiving a federal grant or loan. Money obtained through the government's College Work-Study program could be used for this purpose.

**Required high-school diploma.** All students would be required to have a high school diploma or the equivalent before receiving federal aid.

**Consolidation of programs.** The Administration requested no funds for the Supplemental Education Opportunity Grant program. Instead it asked for \$850-million for the College Work-Study program, under which institutions could use up to 50 per cent of the amounts they received for supplemental grants. Congress appropriated \$592-million for College Work-Study for fiscal 1985 and \$412-million for supplemental grants.

The Administration also proposed to eliminate State Student Incentive Grants and new federal contributions to the National Direct Student Loan program.

**Less aid for graduate students.** The President sought significant reductions in the amount of financial assistance provided specifically for graduate students. Mr. Reagan requested no money for the Graduate and Professional Opportunities Program, which aids about 1,350 needy students. He also proposed eliminating the \$2.5-million public-service fellowship program and ending a \$1.5-million program designed to provide law students with clinical experience.

Mr. Reagan asked Congress to rescind the \$2.5-million it appropriated for the current year

for a new program of National Graduate Fellowships — named the Javits Fellowships after the long-time New York Republican Senator, Jacob K. Javits. In addition, the budget included no money for the scholarships for fiscal 1986.

The fellowships, which higher-education groups had been trying to persuade Congress to support for several years, are designed to aid graduate students in the arts, humanities, and social sciences.

The grants are not needed, budget documents said, because graduate students are eligible for financial aid under other Federal programs

### "Unrestrained 20-Year Binge"

The Office of Management and Budget justified its proposed changes in student aid in a document that said they were essential to "correct policy and budgetary impacts of an unrestrained 20-year binge" in the Education Department. The growing student-aid programs, the document said, have produced a "shotgun approach that has indiscriminately sprayed assistance at students regardless of income for almost any conceivable type of education."

The O.M.B. proposed to replace all current student-aid programs, except for the Guaranteed Student Loan program, with a single program of grants to the states, beginning in 1987. The O.M.B. said that would "simplify and make more equitable and efficient the delivery of federal aid."

The state-grant proposal will be studied by the Administration as it considers what recommendations it will make for extending the Higher Education Act, which expires later this year, said Gary L. Jones, who was Acting Education Secretary when the budget was released. Under the plan, states would decide what mix of grants, work-study, and loans students would receive.

President Reagan's proposals would affect loans and grants for the academic year beginning in the fall of 1986. More than five million college and university students now receive federal aid each year, and about one million students would lose their federal aid under the proposals, Mr. Jones said.

He added that he did not think that overall college enrollment would be reduced if Congress adopted the President's proposals, but he said he was not sure

whether Mr. Reagan's proposals would affect a student's choice of colleges. "We don't know at this time," he said.

Leaders of several higher-education groups announced unified opposition immediately after Mr. Jones outlined the proposals at a budget briefing.

They stood outside the Education Department in windy, near-freezing temperatures, in symbolic gesture to show their displeasure. "Higher education is being frozen out of the budget," said John D. Phillips, president of the National Association of Independent Colleges and Universities.

Said Dale Parnell, president of the American Association of Community and Junior Colleges, "With one fell swoop, the Reagan budget puts the nation at risk," a play on the title of the federal report issued in 1983 castigating the state of education in the country's schools, *A Nation at Risk*.

Much of the reaction on Capitol Hill to Mr. Reagan's proposed budget was just as critical.

Rep. Augustus F. Hawkins, Democrat of California, chairman of the House Education and Labor Committee, said the President's aid proposals would mean that many students would have very little choice about where to attend college and that many would be forced to drop out of college. "Most of Congress would oppose these changes in programs if they voted on them directly," Mr. Hawkins said.

He added that he would try to use parliamentary maneuvers to insure that legislators cast votes on individual parts of the budget, rather than casting a single vote for an overall budget resolution that might include sweeping changes in programs.

He said the \$32,500 family-income ceiling for subsidized Guaranteed Student Loans would be particularly harmful to families that wanted to send more than one child to college.

"We're totally opposed to the President's proposals," said an aide to Rep. William D. Ford, Democrat of Michigan, and chairman of the House Subcommittee on Postsecondary Education. If Congress accepted the proposals, "it would mark the end of the Guaranteed Student Loan Program," the aide said. "We feel that higher education has to be a top priority, and it obviously is not with this Administration."

## SENIORS!!!

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# Grading System To Be On Referendum

by Eric Snyder

On March 6th and 7th the Student Bar Association will run a referendum asking law students if they are satisfied with the current grading system at the law school.

The referendum is non-binding. Its purpose is to provide students, faculty and administration with an impression of student concerns in regard to the grading system. It is also an opportunity to introduce alternative systems if students are not satisfied with the current one.

I brought this to the attention of the S.B.A., as well as my fellow law students, because I believe that there is an undercurrent of students and faculty who are displeased with the current system, and that it is time that the issue be brought out into the open.

## Why Work for an "H" When You Can "Q Out"?

I have heard from those who oppose the current grading system that it provides a disincentive to work. A student, knowing a professor will give few or no "D" grades, will do little or no work in that class. By simply picking up a review guide the day before the exam, the student will receive a "Q" grade in the class. Some students enjoy doing this for many of their classes; hence the term "Q-ing out" was born.

I question the objectives of a student who spends three years of his or her own life, and many thousands of dollars to "Q out." I am concerned that an institution that condones the action by not attempting to address the prob-

lem is not acting in the best interests of the students it is there to protect.

## Current System Confuses Employers, Hurts Students

Furthermore, I believe that the current grading system does not provide an accurate indication of a student's academic performance. This system provides little indication to a prospective employer outside Western New York, who is unaware of the quality of the law school, of the caliber of the student he or she is contemplating hiring. The system gives little indication to students of their own academic progress due to the fact that a great many professors take the easy way out, and do not comment on the exams or scrutinize the answers very closely. This practice tends to lead to arbitrary grading, and a denial of a student's right to learn from his or her own mistakes.

The argument for the grading system is that it cuts down on the competition and fosters an atmosphere of learning unique to the "Buffalo Model."

However, I believe that students that now compete for an "H" would compete for an "A" grade with the same vigor under a traditional ABCDF grading system. A change to a 5-letter ABCDF system would not increase competition, but lend legitimacy and consistency to the 5-symbol HQ\*QDF system used at the law school currently.

This is my opinion. All of you will have an opportunity to voice your own on March 6th and 7th. I urge you to do so.

# Graduate Tax at U/B

The Institute for Tax Studies at the State University at Buffalo has established what is believed to be the first graduate-level tax program in Western New York.

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Property Taxation II; Tax Practice and Procedure; Tax Research and Ethics; Tax Shelters; Taxation of Partnerships and Partners, and Taxation of X-Corporations and Their Shareholders.

Registration for the spring term, which begins April 22, must be completed no later than March 15.

The sponsoring Institute for Tax Studies is a branch of the UB School of Management. A program brochure may be obtained by contacting Carolyn Shadle, program administrator, at 108 Jacobs Management Center, State University at Buffalo, Amherst, NY 14260. Phone numbers are (716) 636-3203 or 831-2151.

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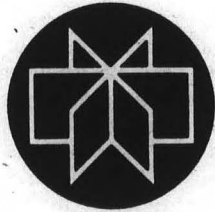
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By Louis A. Del Cotto



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# Cliff Barney's Health Spa Saga: Part II

by Pudge Meyer

## PART TWO

After work, I rushed right home to pack my gym bag. I had bought new shorts to go with my Fred Perry shirt. I also brought along socks, underwear, and all the necessary toiletries, including my new Norelco triple-header and Aramis travel kit.

As I pulled into the parking lot of the Scandinavian, I noticed that it was fairly crowded. As soon as I walked in, Chuck was all over me.

"Hey, Cliff, what do you say! How's it going, my man?? What you been up to?"

"Not much; okay; not much. I'm ready to get active."

"First we have to take care of a few clerical items — it'll only take a few minutes." He walked me over to a back door. Beyond it, no doubt, was the back room. I was tingling with excitement.

The door opened. It was pretty dark, and I couldn't see anything yet. Then I felt a soft hand grab on to mine. Somewhere in the distance I heard Chuck say he'd see me later. A few moments later I was directed to what I thought was a bed; but it was a chair. I certainly was in the dark. Just then, the lights flicked on.

"There! I couldn't find the switch! Ha-ha! Hi! My name is Melissa. What's yours?" This girl made Scandy look like Phyllis Diller.

"Uh, my name — my name is Chu-no, it's Barney. Cliff Barney."

"My, what an interesting name."

"For a rather interesting man, I might add."

"You might, you might." I took a look around.

"Don't mind my asking — what is this place?"

"Scandinavian Health, Inc. — a total life program for —"

"No — I mean this room, this back room."

"Oh. This is the back room ID Processing Center. Since you've wisely elected the VIP package — after meeting the necessary criteria — you get to be processed right here, at a terrific savings."

I was truly disillusioned. "But I thought this was — what terrific

savings? I paid a \$90 fee for processing and ID. I don't get it."

"Sure you did. But because of our limited equipment, we only process VIP's here. All other members — second-class members — have to go to the main central processing center."

"What's so bad about that?" I thought she had me for a fool.

"Well, for one thing, it's in Finland."

She took my picture, asked me a few personal questions, and led me back to the locker room. I changed into my outfit and was ready to hit the exercise floor hard. A friendly man at the next locker struck up a conversation. He was the kind of guy who always goes to the spa alone.

"Hey, mister, ain't you gonna lock your locker?"

"Gee, I guess I — yeah, you're right. Only this is my first time, and I didn't know I had to bring one."

"Well, that ain't too smart. Why, just yestiddy somebody forgot to lock his lock — what do you think happened?" I thought he'd just tell me, but he paused.

"They stole his wallet?"

"Nope — they took his lock."

After that story I wasn't particularly concerned. But just as a precaution, I waited until he turned around before taking my watch off and placing it in my shoe at the bottom of the locker. Now I was ready to hit the floor.

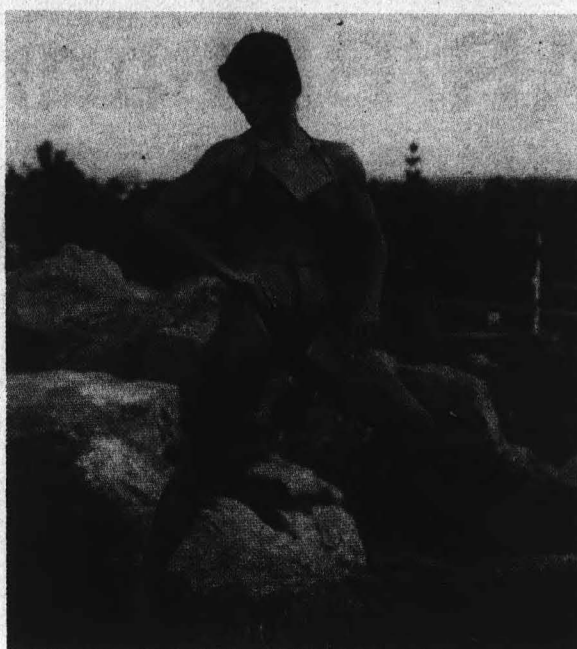
Chuck nabbed me right away. "Barney — uh, Cliff, c'mere. You want to take advantage of the situation. Why don't you let one of our professionals provide you with a computerized analysis of your well-being?" Without waiting for an answer, he marched me off to a small room. Melissa was there.

"Now that you know me, you can call me Misty. . . So — what made you join our club?"

"I, uh, was having trouble climbing the stairs."

"Shortness of breath?"

"No — a loose heel." She tilted her head back and laughed as if on cue. It was obvious — at least to me — that this girl was crazy about me.



Misty stretches out before her workout at the Scandinavian Health Club.

She took my blood pressure and other assorted measurements. Despite my urge to hit the floor — the exercise floor, that is — Misty assured me that I should begin with that fiend called the Life-Cycle so that my appropriate level could be ascertained. She said that nothing would make my level rise faster than that Life-Cycle.

She pressed some buttons and told me to start pedalling. "I said start pedalling."

"The pedals must be stuck." Again she laughed that childish laugh.

"No Cliff. Here, now try." The pedals slowly began to turn. She told me to pedal for five minutes. It was pretty tough going. I tried to get my mind off her — I mean off it by looking around the room. There were all kinds of people in there. Young, old, all shapes and sizes. That girl I saw last time was there in front of the mirror again — the one who did bent-over rows with one-twenty. Now she was doing dumbbell curls with forty-five. Just then a guy about my age got onto the cycle next to mine. He looked like an okay guy. I started.

"Boy, look at that girl go. She really hits the exercise floor hard."

"Yeah, she does. Everybody knows her. Her name is Dorianne, but we call her Queen of the Bent-Over Rows."

"Queen of the B.O.'s. That's a great name. Do you know her well?"

"Nobody knows her well. She don't let you."

"We'll see about that. . ." I watched her for quite a while. Not once did she look up at me. I could see she was playing hard-to-get. After a few minutes I was panting pretty hard — from the Cycle, I mean. Chuck came over.

"Hey — you seem out of breath. . . do you eat a lot of french fries?"

Wow, I thought; this guy must have ESP. "Yes, I do — tons of them. I have them with every meal."

"That's what I figured. After this last minute on the Cycle, why don't you talk with our professional dietitian."

After the minute, he wheeled me over to another office. I went in.

"Hi! I thought I'd see you again today." It was Misty.

"You sure are trained to do a lot of things. . ." She put me on a diet that would make me disappear in about a month. She showed me charts and diagrams. I guess she got to me just in time

— by the looks of things, I probably didn't have too much longer to live.

After acknowledging that she had saved my life, I decided to hit the steam room. I was ready to really relax.

It was closed. I spoke to the attendant. He assured me that in the interests of cleanliness, every three days they turn it off.

"Why is that?"

"We don't want you sitting in old, stale steam. We like to air it out and fill it with new steam." These people really did give a darn about the customer. I guess the regular attendant wasn't there today — the person airing it out was Misty.

"I went back to my locker. The shower felt great. I noticed Chuck walking by. "Hey Chuck, where do I get the towels?"

"Towels? I never said we provide towels, did I?"

"Well, I just assumed. . ."

"Sorry." I dried myself off with my sweaty shirt. It worked better than I thought, but I did get some funny looks from the other people. They made me feel uncomfortable, so I hurried.

I couldn't find my watch. "Anybody see a watch laying around? A watch?" Nobody answered. Finally a guy who looked to be 93 spoke.

"You didn't forget to lock your locker, did you?"

"Well, I guess I did." He made some noise that is a sign of disapproval. I walked to the lobby where I saw Chuck. "Guess what happened — somebody took my watch."

"Where did you leave it?"

"Nowhere — in my locker."

"Was it —?"

"No, it wasn't."

"Well, that's the breaks."

"Is there a lost and found."

"Hold on." He turned to the desk. "Hey Misty — anybody turn in a watch?" A voice yelled back "No."

"Well, I have another one at home. But you better be careful about your watch too, Chuck, because mine looked exactly like yours."

He took it off and put it in his pocket.

To be continued . . .

## Free Thoughts:

## Bright Ideas

by A.D. Stewart

Did anybody notice the packs of first year students on the main floor of the law library on the weekend of the 9th and 10th? There were more research and writing students per square foot than law books! I don't want to say that things got a little out of hand, but as I was walking in the hallway, I saw Marlon Perkins, Jim Fowler and a camera crew approaching the library. Needless to say, Jim was in the lead. . .

Just so I don't catch flak later on, I am stating here and now that I am declaring a moratorium on the giving of wedding gifts until I've had a (paying) job for at least a year! With all of my friends conspiring to enter the bond of matrimony (or deathgrip if you prefer), I find myself taking out student loans to pay for stag parties and gifts. If you want the institution of marriage, that's all right. You can be institutional-

ized all you want, but don't look at me to bankrupt myself so that your kitchens can have all the modern conveniences. In short, be glad to get a Hallmark. . .

Did anybody notice that it's quicker to park on the Main Street Campus and walk to the law school than to try to get a parking spot on Amherst. (Or is the number of handicapped drivers really increasing?) I don't want to get crucified by the S.B.A. or *The Opinion* people, but I think an S.B.A. Resolution is called for (if it's not declared ultra vires by some Capen deskjockey) — "Resolved — That the S.B.A. is in favor of parking ramps and donates \$200 as a sign of support to the building thereof." I know \$200 won't go far, but at least it can get some more of those fine, income-generating parking meters that are currently strategically located in the lot closest to O'Brian. The revenues therefrom should pay for the rest. . .

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By-Law 13 requires that "All organizations which wish to maintain or receive an SBA charter and/or receive SBA funds must:

1) send a representative to one SBA meeting in the Fall of each school year (before November 1), and in the Spring (before April 1) to report on the group's activities and plans.

2) publish a letter describing the club's activities and plans in the Law School newspaper, *The Opinion*, after October 15th and before March 15th, of each school year.

3) submit a list of at least 10 signatures of matriculated students who are members of the organization.

This By-Law is designed to encourage an increased awareness of the rich variety of activities within the Law School community. Organizations which do not meet all of the above requirements may have their charter(s) revoked, and may — at the discretion of the SBA Board of Directors — be denied future funding."



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